
By: **Delegate Owings**
Introduced and read first time: March 3, 2003
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Education - School Curriculum and Health Services - Parental Consent**

3 FOR the purpose of prohibiting a County Board of Education from adopting certain
4 curricula or courses of study; requiring a county superintendent to require the
5 consent of a parent or legal guardian of certain students who wish to enroll in
6 certain courses; prohibiting a county board from providing school health
7 services without the informed written consent of the parent or legal guardian of
8 the student; and generally relating to parental consent for certain school
9 curricula and health services.

10 BY repealing and reenacting, with amendments,
11 Article - Education
12 Section 4-205(i) and 7-401
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2002 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Education**

18 4-205.

19 (i) (1) The county superintendent shall prepare and recommend for
20 adoption by the county board:

- 21 [(1)] (I) Curriculum guides;
- 22 [(2)] (II) Courses of study;
- 23 [(3)] (III) Resource material; and
- 24 [(4)] (IV) Other teaching aids.

25 (2) A COUNTY BOARD MAY NOT ADOPT CURRICULA OR COURSES OF
26 STUDY THAT PROMOTE THE DISTRIBUTION OF CONTRACEPTIVES.

1 (3) A COUNTY SUPERINTENDENT SHALL REQUIRE THE INFORMED
2 WRITTEN CONSENT OF A PARENT OR LEGAL GUARDIAN OF A STUDENT WHO WISHES
3 TO ENROLL IN AN AGE-APPROPRIATE SEX EDUCATION COURSE.

4 7-401.

5 (a) With the assistance of the county health department, each county board
6 shall provide:

- 7 (1) Adequate school health services;
- 8 (2) Instruction in health education; and
- 9 (3) A healthful school environment.

10 (b) The Department of Education and the Department of Health and Mental
11 Hygiene jointly shall:

- 12 (1) Develop public standards and guidelines for school health programs;
13 and
- 14 (2) Offer assistance to the county boards and county health departments
15 in their implementation.

16 (C) A COUNTY BOARD MAY NOT PROVIDE SCHOOL HEALTH SERVICES TO A
17 STUDENT WITHOUT THE INFORMED WRITTEN CONSENT OF A PARENT OR LEGAL
18 GUARDIAN OF THE STUDENT.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2003.